

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DAWN T. HUNT,

Plaintiff,

- against -

ORDER

11-CV-2432 (RRM) (LB)

ARTHUR KILL CORRECTIONAL FACILITY,

Defendant.

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MAUSKOPF, United States District Judge.

By Motion filed May 31, 2012, defendant Arthur Kill Correctional Facility filed a motion to dismiss for failure to state a claim. (Doc. No. 24.) By Order entered June 22, 2012, this Court referred that motion to the assigned Magistrate Judge, the Honorable Lois Bloom, for a Report and Recommendation (“R&R”). On October 9, 2012, Judge Bloom issued the R&R, recommending that defendant’s motion to dismiss be granted. (Doc. No. 28.) Judge Bloom reminded the parties that pursuant to Rule 72(b), any objection to the R&R was due within fourteen days from service of that report. (R&R at 16.)

On November 13, 2012, after the deadline for responses to the R&R had passed, plaintiff requested an extension of time to file her objections. (Doc. No. 29). Judge Bloom granted this request, ordering plaintiff to file any objections to the R&R by December 10, 2012 and stating clearly that no subsequent requests for extensions of time would be considered. (Doc. No. 30.) Despite this extension, plaintiff never filed her objections to the R&R. Instead, on January 3, 2013, plaintiff filed a letter motion seeking another extension of time to file, on the grounds that she was in the process of retaining an attorney. (Doc. No. 31.) The next day, her attorney filed a notice of appearance and a motion for extension of time to file a response to the R&R. (Doc. Nos. 32, 33.) On January 8, 2013, Judge Bloom denied counsel’s request as untimely. (Doc. No. 34.)

Plaintiff has twice failed to file timely objections to the R&R. Defendant has likewise filed no objections. In the absence of objections, the Court reviews the R&R only for clear error. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). Having found none, the Court adopts the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007).

CONCLUSION

Accordingly, defendant's motion to dismiss (Doc. No. 24) is GRANTED and Hunt's claims are dismissed with prejudice. The Clerk of Court is hereby directed to enter judgment accordingly, and to close this case.

SO ORDERED.

Dated: Brooklyn, New York
February 28, 2013

Roslyn R. Mauskopf

ROSLYN R. MAUSKOPF
United States District Judge